

Appln No. 10/019,563

Amdt date May 26, 2004

Reply to Office action of November 26, 2003

REMARKS/ARGUMENTS

This amendment is submitted in response to the Office action mailed November 26, 2003. Claims 14 and 22 have been cancelled without prejudice. Claims 11, 17, 20, 21, 24, 33 and 40 have been amended to correct grammar and punctuation and to provide appropriate antecedent basis. Claims 51-62 have been added to more completely cover certain aspects of the invention. Accordingly, claims 11-13, 15-21, and 23-62 are presently in the application.

On page 2 of the Office action, the disclosure is objected to because each section of the application should be provided with a heading, claim wording should not appear in the specification and the word "manoeuvred" is incorrectly spelled. Appropriate corrections have been made to the specification.

On page 2 of the Office action, the specification is objected to as allegedly failing to provide proper antecedent basis for the claimed subject matter. In particular, the Examiner states that there is no support for "a lock . . ." and for a "cutting tool . . ." in this application. With regard to "a lock," the specification has been amended to recite:

Also, as shown in Fig. 13, the wires 26, 27
are secured (or locked) to the stents and
the ends of the wires have been severed and
removed.

Applicant submits that this added language is fully supported in the original application at Figs. 12 and 13 and the accompanying text at page 8, lines 9-25. In particular, Figs. 12 and 13 show an elongate body comprised of three stent sections 23, 24, 25

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"fixed" in position at three locations in the coronary sinus. Wires 26 and 27 are "connected" to the stents. As shown in Fig. 12, wire 26 is connected to stent 24 and wire 27 is connected to stent 23. The wires are maneuverable from outside the vein system to "reduce" the distances of adjacent stents. Fig. 13 illustrates the elongate body in a "bent" position, after the distances between the stents have been reduced. As is again seen in Fig. 13, after the distances between adjacent stent sections are reduced, the wires are further secured to the stents and the ends of the wires severed and removed from the elongate body. In particular, wire 26 is connected to stent 24 and stent 25 and wire 27 is connected to stent 24 and stent 23. The original specification did not expressly state that the wires were secured and severed, but this is clearly apparent from Fig. 13, i.e., Fig. 13 shows the elongate body locked in the second position. The specification has been amended to recite that the wires 26, 27 are secured or locked to the stents and Fig. 13 has been amended to add reference numbers to the wires. Applicant respectfully submits that "a lock for retaining the elongate body in the second configuration at least in part within the coronary sinus" is supported by the original specification and requests that the amendment to the specification and drawings be carefully reviewed and approved by the Examiner and that the objection to the specification be withdrawn.

Claims 14 and 22 which recite "a cutting tool" have been cancelled without prejudice.

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On page 3 of the Office action, claims 11-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Langberg et al. 6,402,781. Applicant has amended the application to claim the benefit of the filing date of U.S. Serial No. 09/345,475, filed June 30, 1999, now U.S. Pat. No. 6,210,432, issued April 3, 2001. The present national stage application is based on PCT international application PCT/SE00/01369, filed June 28, 2000 which designated the United States. Accordingly, not only is the present application entitled to priority to Swedish application No. 9902455-6 filed June 29, 1999, but is also entitled to claim the benefit of the filing date of U.S. Serial No. 09/345,475 filed June 30, 1999, both of which predate Langberg et al. 6,402,781. Accordingly, the rejection of claims 11-50 as being anticipated by Langberg should be withdrawn.

Following is a listing of the pending claims, a brief identification of support in the application for the listed claims and, if the claims were copied from another patent application, the identity of the publication from which the claims were copied:

Claims 11-13 and 15-21 are supported by Figs. 12 and 13 and the accompanying specification at page 8, line 9 to page 9, line 2. The claims are copied from U.S. Patent No. 6,402,781 (claims 1-3, 5, 17-20, 22 and 23), which issued June 11, 2002.

Claims 23-48 are supported by Figs. 2-11 and the accompanying specification at page 5, line 19 to page 8, line 8. The claims are copies from U.S. Patent Application Publication US 2002/0087173, published July 4, 2002, Serial No. 09/751,271 (claims 1-7, 9-17, 19, 21, 22, 25-31).

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Claims 49-50 are supported by the specification at page 8, lines 22-25.

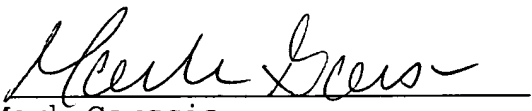
New claims 51-56 are supported by Figs. 12 and 13 and the accompanying specification. Claims 52-56 depend from claim 51 and are copied from U.S. Patent Application Publication US 2002/0103533, published August 1, 2002, Serial No. 09/774,869 (claims 3, 4, 7, 8, 9).

New claims 57-62 are supported by Figs. 12 and 13 and the accompanying specification. Claims 57-62 are copied from PCT International Publication WO 01/54618, published August 2, 2001, International Application No. PCT/US01/02823 (claims 19, 20, 21, 23, 24 25).

In view of the above, applicant respectfully requests reconsideration of the application and the allowance of claims 11-13, 15-21 and 23-62.

Respectfully submitted,

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